



# City of Granite City

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## **Board of Appeals MINUTES March 6, 2013**

The Granite City Board of Appeals met on Wednesday, March 6, 2013. Chairman Sam Akeman called the meeting to Order at 7:00 PM.

### **ROLL CALL**

Members Present: Sam Akeman, Debbie Smith, Kayleen Johnston and Evelyn Harris. Excused absences; Kimberly Benda and Kitty Reither. Also present were: Aldermen Dan McDowell, Don Thompson and Zoning Administrator, Steve Willaredt.

### **MINUTES / AGENDA**

The Chair called for a motion to approve the Minutes from the previously scheduled meeting held on February 6, 2013, and this evening's Agenda. Motion by Evelyn Harris and seconded by Debbie Smith. Voice vote. All ayes. Motion carried.

### **COMMENTS/SWEAR IN**

The Chair welcomed everyone and stated the Board of Appeals is a recommending body to the City Council and the Council will have final determination at the next regularly scheduled meeting on March 19, 2013. The Petitioners were sworn in.

**PETITIONER (1): Eileen Yobby**  
**1636 Primrose Avenue**  
**Parcel ID: 22-2-20-05-19-405-023**

Eileen presented her request for an open sided, lean-to type, carport constructed on property she owns and is where her son resides.

The Chair stated, normally a sketch or drawing is included in the packet given to the Board members, all he saw was the proposal by the contractor, Ryterski Remodeling (Attachment A, copy available upon request). Mrs. Yobby stated she was unaware that a drawing was required, had she known she would have provided one. The recording secretary, Barb Hawkins, responded with an apology to Mrs. Yobby and stated she believed the Ryterski proposal was sufficient for the presentation of the Petition.

Mr. Willaredt, Zoning Administrator, read from the proposal: The information detailed the location where the carport was to be constructed, the design, dimensions and the materials to be used. He stated the Petitioner is requesting a zero side setback variance. A normal setback for a R-2 District is 5 foot. The Zoning Administrator added, the carport will be open sided so will not require a firewall.

The Criteria Checklist was completed (Section 9-430 of Ordinance #3818) as follows:

The Board of Appeals, based upon evidence presented, determined in the Affirmative that:

- A. The proposed variance is consistent with the general purposes of the Zoning Code Article 1, Section 1-100; and
- B. strict application of the district requirements would result in great practical difficulties or hardship to the applicant, and prevent a reasonable return on the property; and
- C. the proposed variance is the minimum deviation from such requirements that will alleviate the difficulties / hardship, and allow a reasonable return on the property; and
- D. the plight of the applicant is due to peculiar circumstances not of his own making; and
- E. the peculiar circumstances of the variance request are not applicable to other property within the district, and therefore, a variance would be a more appropriate remedy than an amendment (re-zoning); and
- F. the variance, if granted, will not alter the essential character of the area nor materially frustrate implementation of this municipality's comprehensive plan.

The Chair asked for questions or concerns. None voiced. No further discussion.

**MOTION** by Debbie Smith and seconded by Kayleen Johnston to approve the request for a zero side setback and allow the construction of the open sided carport. Roll call vote. All ayes. Motion carried by unanimous consent.

**PETITION (2): Gary Penrod**  
**2636 East 27<sup>th</sup> Street**  
**Parcel: 22-2-20-17-10-106-020**

Mr. Gary Penrod introduced himself and stated his Petition is a request for a 3 ft. northeast side setback variance to allow construction of a manufactured carport on the existing driveway.

The Chairman referred to the rendering. The Petitioner stated the carport would be located at the edge of the existing driveway, there will be approximately 10 ft. from the house to the carport. The proposed manufactured carport is 18 X 21 ft.

The Petitioner stated he had spoken to his neighbors and they did not object. The Chair noted no one was in the audience to voice opposition and the Zoning Administrator stated he did not have a problem with the proposal.

The Board of Appeals, based upon evidence presented, determined in the Affirmative that:

- A. The proposed variance is consistent with the general purposes of the Zoning Code Article 1, Section 1-100; and
- B. strict application of the district requirements would result in great practical difficulties or hardship to the applicant, and prevent a reasonable return on the property; and
- C. the proposed variance is the minimum deviation from such requirements that will alleviate the difficulties / hardship, and allow a reasonable return on the property; and
- D. the plight of the applicant is due to peculiar circumstances not of his own making; and
- E. the peculiar circumstances of the variance request are not applicable to other property within the district, and therefore, a variance would be a more appropriate remedy than an amendment (re-zoning); and
- F. the variance, if granted, will not alter the essential character of the area nor materially frustrate implementation of this municipality's comprehensive plan.

No further discussion.

**MOTION** by Debbie Smith and seconded by Evelyn Harris to approve the Petition and allow the manufactured carport to be constructed as presented. Roll Call vote. All ayes. Motion carried by unanimous consent.

**NEW BUSINESS** – None voiced.

**UNFINISHED BUSINESS** – None Voiced.

Motion to adjourn by Sam Akeman and seconded by Kayleen Johnston. All ayes.

Respectfully submitted,

*Barbara Hawkins*

Secretary

Board of Appeals

**BOARD OF APPEALS  
ADVISORY REPORT  
March 6, 2013**

**PETITIONER:** Eileen Yobby  
**LOCATION:** 1636 Primrose Avenue

**REQUEST:** Zero side setback variance request to allow construction of a new open-sided carport. District Zoned R-2.

**MOTION** by Debbie Smith and seconded by Kayleen Johnston to approve the Petition for zero side setback for new installation of new manufactured carport. Roll Call vote. All ayes. Motion carried.

**Roll Call vote:**

Sam Akeman	Yes	Debbie Smith	Yes
Kayleen Johnston	Yes	Evelyn Harris	Yes

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**PETITIONER:** Gary Penrod  
**LOCATION:** 2636 East 27<sup>th</sup> Street

**REQUEST:** 3 ft. setback variance request for a manufactured carport to be installed on existing driveway. District Zoned R-3.

**MOTION** by Debbie Smith and seconded by Evelyn Harris to approve the Petition for a 3 ft. setback variance for new carport. Roll Call vote. All ayes. Motion carried.

**Roll Call vote:**

Sam Akeman	Yes	Debbie Smith	Yes
Kayleen Johnston	Yes	Evelyn Harris	Yes